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Attorney for Defendant
DAVID HANSEN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID KENNETH HANSEN,

Defendant.

Case No.: 2:20-cr-021 TLN

STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: July 16, 2020
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Assistant United States Attorney James Conolly, and Attorney Todd Leras on behalf of Defendant David Hansen, stipulate as follows:

1. This matter is presently set for a status conference on May 14, 2020. By this stipulation, Defendant Hansen moves to continue the status conference to July 16, 2020.

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2. This case involves drug trafficking and firearm charges stemming from execution of search warrants in Sacramento and Placer Counties. Defendant appeared for arraignment on the charges contained in the Indictment on January 24, 2020. The parties set an initial status conference for March 19, 2020. They later requested a continuance of the initial status conference by stipulation to May 14, 2020. During the intervening approximate two-month period national events related to the spread of COVID-19 have occurred.
3. Federal and state authorities have issued increasingly restrictive directives to slow the spread of the virus. Defendant Hansen therefore requests to continue this matter to July 16, 2020.
4. Defendant Hansen is being held in pre-trial detention at the Sacramento County Main Jail. On March 18, 2020, Chief United States District Judge Kimberly J. Mueller issued General Order 612, restricting access to the federal courthouses within the Eastern District of California until May 1, 2020. On April 17, 2020, the Court issued General Order 617 to extend the courthouse restrictions until June 1, 2020.
5. On March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20 ordering all California residents to shelter in place unless their services are needed to perform work in critical infrastructure functions.
6. Defense counsel, heeding the Governor's order, has suspended in-person visits to the Sacramento County Jail since March 19. Any visit to a jail facility involves a risk of spreading COVID-19, which is classified as a highly infectious virus by the Centers for Disease Control. That risk includes the danger of an asymptomatic carrier

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unwittingly bringing the virus inside the jail exposing the staff, defense counsel, and Mr. Hansen to COVID-19.

7. The government has provided defense counsel with initial discovery consisting of written offense reports and audio recordings. Defense counsel is reviewing these materials with Mr. Hansen via confidential telephone calls and conducting investigation into potential defenses. The defense therefore requests additional time to conduct its discovery review and investigation.
8. Given the ongoing defense investigation, Defendant Hansen requests to continue the status conference in this matter to July 16, 2020, at 9:30 a.m., and to exclude time between May 14, 2020 and July 16, 2020, inclusive, under Local Code T-4. The United States does not oppose this request.
9. Attorney Todd Leras represents and believes that failure to grant additional time as requested would deny Defendant Hansen the reasonable time necessary for effective preparation, considering the exercise of due diligence.
10. Based on the above-stated facts, Defendant Hansen requests that the Court find that the ends of justice served by continuing the case as requested outweigh the best interest of the public and the Defendant in a trial within the time prescribed by the Speedy Trial Act.
11. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of May 14, 2020 to July 16, 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B)(iv) [Local Code T-4] because it results from a continuance granted by the Court at

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1 Defendant Hansen's request on the basis that the ends of justice served by taking such
2 action outweigh the best interest of the public and the Defendant in a speedy trial.

3 12. Nothing in this stipulation and order shall preclude a finding that other provisions of
4 the Speedy Trial Act dictate that additional time periods are excludable from the
5 period within which a trial must commence.
6

7 Assistant U.S. Attorney James Conolly has reviewed this proposed order and authorized
8 Todd Leras via email to sign it on his behalf.
9

10 DATED: May 11, 2020

MCGREGOR W. SCOTT
United States Attorney

11
12 By /s/ Todd D. Leras for
JAMES CONOLLY
13 Assistant United States Attorney

14 DATED: May 7, 2020

15 By /s/ Todd D. Leras
TODD D. LERAS
16 Attorney for Defendant
17 DAVID HANSEN
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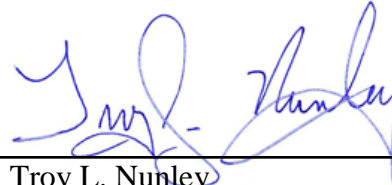
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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for May 14, 2020, is vacated. A new status conference is scheduled for July 16, 2020, at 9:30 a.m. The Court further finds, based on the representations of the parties and Defendant Hansen's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from May 14, 2020, up to and including July 16, 2020.

IT IS SO ORDERED.

DATED: May 12, 2020



Troy L. Nunley
United States District Judge

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